

EXHIBIT C-7

Grace Cross-Complaint Dismissal Order

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 ORIGINAL FILED
 Superior Court of California
 County of Los Angeles

JAN 26 2017

Attorneys for Cross-Defendants W.R. GRACE &
 COMPANY and GRACE DAVISON

Sherri R. Carter, Executive Officer/Clerk
 By Raul Sanchez, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
 COUNTY OF LOS ANGELES, CENTRAL JUDICIAL DISTRICT

TIG INSURANCE COMPANY,
 A California corporation,

Plaintiff,

v.

GARY SMOLKER, an individual, and ALICE
 SMOLKER, an individual; and DOES 1-10,
 inclusive,

Defendants.

GARY SMOLKER,

Cross-Complainant,

v

HOME SAVINGS TERMITE CONTROL, INC., et
 al.,

Cross-Defendants

Case No. BC173952
 Transferred to the Honorable Judge Richard Fruin
 Department 15

**NOTICE OF ENTRY OF ORDER TO
 DISMISS FOR FAILURE TO BRING
 ACTION TO TRIAL WITHIN FIVE YEARS
 AS REQUIRED BY CODE OF CIVIL
 PROCEDURE §583.310, §583.360**

RESERVATION NO.: 161115174315

Date: January 17, 2017
 Time: 8:30 A.M.
 Place: Department 15


TO ALL INTERESTED PARTIES AND THEIR RESPECTIVE ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on January 17, 2017 the Honorable Richard Fruin
 executed the Order granting Cross-Defendants W.R. GRACE & CO. and GRACE DAVIDSON'S
 Motion to Dismiss for Failure to Bring Action to Trial within Five Years as Required by Code of Civil
 Procedure §583.310, §583.360. A true and correct copy of said Order is attached hereto and

1 incorporated herein by this reference.

2 Dated: January 26, 2017

BORTON PETRINI, LLP

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5 By  ROSEMARIE S. LEWIS, JEFFREY Z. LIU
6 Attorneys for Cross-Defendant W.R. GRACE
7 & COMPANY and GRACE DAVISON.
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CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

JAN 17 2017

Sherri R. Carter, Executive Officer/Clerk
By E. Garcia, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF LOS ANGELES, CENTRAL JUDICIAL DISTRICT

TIG INSURANCE COMPANY,
A California corporation,

Plaintiff,

v.

GARY SMOLKER, an individual, and ALICE
SMOLKER, an individual; and DOES 1-10,
inclusive,

Defendants.

GARY SMOLKER,

Cross-Complainant,

v

HOME SAVINGS TERMITE CONTROL, INC., et
al.,

Cross-Defendants

Case No. BC173952

Transferred to the Honorable Judge Richard Fruin
Department 15

**[PROPOSED] ORDER MOTION TO
DISMISS FOR FAILURE TO BRING
ACTION TO TRIAL WITHIN FIVE YEARS
AS REQUIRED BY CODE OF CIVIL
PROCEDURE §583.310, §583.360**

RESERVATION NO.: 161115174315

Date: December 20, 2016
Time: 8:30 A.M.
Place: Department 15

TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that the Motion to Dismiss for Failure to Bring Action to Trial

Within Five Years filed on behalf of W.R. GRACE & CO. and Grace Davidson came on regularly for
hearing on December 20, 2016 at 8:30 a.m. in Department 15 of the above-entitled Court, the Honorable
Richard Fruin, judge presiding. Briefs were submitted and oral argument ensued.

Davidson

1 ~~Davidson~~ FOR GOOD CAUSE APPEARING the COURT grants W.R. GRACE & CO. and Grace
2 Davidson's motion to dismiss and dismisses this case with prejudice *as to them*

3 IT IS SO ORDERED.

4 DATED: Jan. 17, 2017

Richard Fruin
Richard Fruin
JUDGE OF THE SUPERIOR COURT

PROOF OF SERVICE (Code Civ. Proc., §§ 1013a, 2015.5)

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 626 Wilshire Blvd., Suite 975, Los Angeles, California 90017; my email address is bgonzales@bortonpetrini.com; eloaiza@bortonpetrini.com.

On January 26, 2017, I served the foregoing document described as **NOTICE OF ENTRY OF ORDER TO DISMISS FOR FAILURE TO BRING ACTION TO TRIAL WITHIN FIVE YEARS AS REQUIRED BY CODE OF CIVIL PROCEDURE §583.310, §583.360** on the other parties in this action by placing the true copies thereof enclosed in sealed envelopes addressed as indicated in the attached service list.

BY PERSONAL DELIVERY BY ACE MESSENGER & ATTORNEY SERVICE, INC.: I caused the aforementioned documents to be picked up from my office at the above referenced business address by an authorized courier or driver authorized by the courier service to receive documents for delivery to the person(s)/office(s) indicated above.

XXXX BY MAIL: As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

BY GOLDEN STATE OVERNIGHT COURIER SERVICE: The aforementioned documents were picked up from my office at the above referenced business address by an authorized courier or driver authorized by the courier service to receive documents, in an envelope or package designated by the courier service with delivery fees provided for addressed to the person(s)/office(s) on whom it is to be served.

BY FAX: I caused each document to be delivered by electronic facsimile to the offices listed above. The facsimile machine I used complied with California Rules of Court, Rule 2.003(3) and no error was reported by the machine. Pursuant to California Rules of Court, Rule 2008(e).

BY EMAIL or ELECTRONIC TRANSMISSION: I caused the aforementioned documents to be sent to the person or persons at the email address indicated above during normal business hours. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed on **January 26, 2017**, at Los Angeles, California.

B. Gonzales

Type or Print Name

Signature

1 2 3 4	Gary S. Smolker, Esq. LAW OFFICES OF GARY S. SMOLKER 16055 Ventura Boulevard Suite 525 Encino, CA 91436-2609	PHONE: (818) 788-7290 FAX: (818) 990-9888 E-MAIL: gsmolker@aol.com (Gary S. Smolker, In Pro Per)
5 6 7	Sara Thorpe, Esq. GORDON & REES 275 Battery Street, Suite 2000 San Francisco, CA 94111	BUS: (415) 986-5900 FAX: (415) 986-8054 (Truck Underwriters Association; Farmers Group, Inc; Farmers Insurance Group of Companies)
8 9	Michael M. Pollak, Esq. POLLAK, VIDA & FISHER 11150 W Olympic Blvd # 980 Los Angeles, CA 90064	BUS: (310) 551-3400 FAX: (310) 551-1036 (Allstate Insurance Co.)
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13 14 15	Jeffrey A. Charleston, Esq. Robert D. Hoffman, Esq. CHARLESTON, REVICH & WOLLITZ LLP 1925 Century Park E #1250 Los Angeles, CA 90067	BUS: (310) 551-7040 FAX: (310) 203-9321 (Dennis A. Babbitt; Coregis Group, Inc.; Coregis Insurance Co.; Dean & Associates; California Insurance Company)
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